

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
CHATTANOOGA**

TABITHA MARIE SMITH (Deceased)	§	
(aka Tabatha Marie Colbaugh),	§	
by and through her surviving children	§	
NATHAN ALEXANDER SMITH,	§	
JE through next friend JH,	§	No. 1:24-cv-151-DCLC-CHS
NR through next friend SR, and	§	
LC through next friend EH,	§	JURY DEMANDED
	§	
and	§	
	§	
NATHAN ALEXANDER SMITH,	§	
NR through next friend SR,	§	
JE through next friend JH,	§	
and	§	
LC through next friend EH,	§	
(individually),	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
~V~	§	
	§	
MEIGS COUNTY, and	§	
	§	
ESTATE OF ROBERT J. LEONARD (Deceased),	§	
by and through Neal Pinkston as	§	
Administrator <i>ad Litem</i> ,	§	
	§	
<i>Defendants.</i>	§	

**PLAINTIFF’S UNOPPOSED MOTION FOR LEAVE TO FILE RESPONSE TO
DEFENDANT MEIGS COUNTY’S MOTION TO DISMISS IN EXCESS OF 25-PAGE
LIMIT SET BY LOCAL RULE 7.1**

PLAINTIFFS, Nathan Alexander Smith (“Smith”), NR through next Friend SR, JE through next friend JH, and LC through next friend EH, in their individual capacities and in their capacities as next of kin for their mother, Tabitha Marie Smith (aka Tabitha Marie Colbaugh) (“Deceased”), and pursuant to E.D. TENN. L.R. 7.1(b), moves this Court to allow an additional 20 pages in their response to the motion to dismiss filed by Meigs County (“County”). (DE 73).

Plaintiffs argue that the additional pages are necessary to fully address the claims asserted by the County. To be sure, the facts alleged in this matter are unique and raise issues ranging from pleading standards to immunities that Plaintiffs feel must be extensively discussed. Additionally, Plaintiffs intend to use documents which may require an appendix. Consequently, 25 pages may not be enough.

Plaintiffs have contacted counsel for the County, and said counsel stated they have no objection to this motion.

Wherefore, Plaintiffs move this Court to extend the page limit in their response brief from 25-pages to 45-pages and to allow an appendix.

Respectfully submitted,

By: /s/ Robin Ruben Flores

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By: /s/ Jeffrey Rufolo (by permission)

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CERTIFICATE OF SERVICE

The undersigned attorney for Plaintiff Smith hereby certifies that true and exact copies of this motion have been filed and served electronically upon all parties in interest or their counsel as indicated on the receipt issued by the Court's electronic filing system.

By: /s/ Robin Ruben Flores